

October 26, 2004

The Candon Law Offices

1225 - 19th Street, NW #800
Washington, DC 20036
202-222-0555; fax 202-293-3388
candon@candonlaw.com

212356

BY COURIER

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 "K" Street, N.W.
7th Floor Reception Desk
Washington, DC 20423

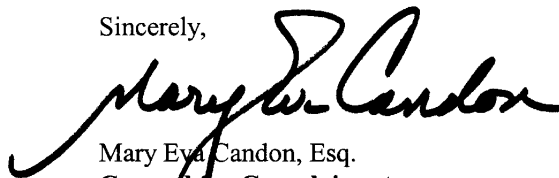
**Re: Government of the Territory of Guam v. Sea-Land Service, Inc.,
and Matson Navigation Company, Inc., STB Docket No. WCC-101**

Dear Secretary Williams:

Enclosed are an original and 10 copies of "**Motion for Extension of Time for Oral Argument**" in the above-referenced proceeding.

If you have any questions regarding this document, please don't hesitate to call me.
Thank you for your assistance in this matter.

Sincerely,



Mary Eva Candon, Esq.
Counsel for Complainant
Government of the Territory
of Guam

ENTERED
Office of Proceedings

OCT 27 2004

Part of
Public Record

Enclosures

cc: All Parties of Record



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**GOVERNMENT OF THE TERRITORY)
OF GUAM, ,)**

Complainant,)

v.)

DOCKET NO. WCC-101

**SEA-LAND SERVICES, INC. and)
MATSON NAVIGATION)
COMPANY, INC.,)**

DEFENDANTS.)

**MOTION FOR EXTENSION OF TIME
FOR ORAL ARGUMENT**

Complainant, the Government of Guam, hereby moves for an extension of time for oral argument in this proceeding. Oral argument is currently set for November 10, 2004.

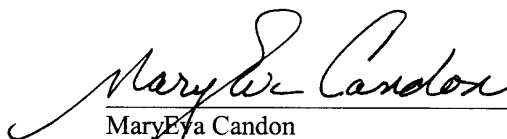
Complainant seeks an extension of time of 6 months or until May 10, 2005.

Complainant respectfully advises that this request for extension of time is made necessary for compelling practical reasons. This complex proceeding was filed six years ago during different administrations both in Guam and at the Surface Transportation Board. Complainant requests more time to allow the new administration in Guam to become familiar with the many and complex issues of this 6-year proceeding. Further, this proceeding is the first matter involving maritime issues to come before the Surface Transportation Board. Such a case of first impression demands a broader, more complex but succinct oral argument than that based on precedent. In addition, communication with, and travel to and from, Guam is difficult and time-

consuming given its location in the western Pacific, making preparation for oral argument with three weeks notice a practical impossibility for a new administration. Finally, the new administration in Guam is willing to explore settlement options with Defendants and an extension of time would allow such settlement discussions to be explored.

For these reasons, and with utmost respect and gratitude to the Surface Transportation Board for calling for oral argument, Complainant requests an extension of time to prepare for oral argument.

Respectfully submitted,

A handwritten signature in cursive script, reading "Mary Eya Candon". The signature is written in dark ink and is positioned above a horizontal line.

Mary Eya Candon
The Candon Law Offices
Suite 800
1225 - 19th Street, NW
Washington, DC 20036

Counsel for the Government of Guam

Dated: October 26, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have, this 26th day of October, 2004, caused a copy of the foregoing

“Motion for Extension of Time for Oral Argument” document to be served upon the chief

legal officers as follows:

C. Jonathan Benner
Leonard L. Fleisig
Troutman Sanders
401 Ninth Street, N.W., Suite 1000
Washington, D.C. 20004-2134

By Courier

Robert T. Basseches
David B. Cook
Eric C. Jeffrey
Shea & Gardner
1800 Massachusetts Avenue, N.W.
Washington, D.C. 20036-1806

By Courier

Richard A. Allen
Andrew R. Plump
Zuckert, Scoutt & Rasenberger, L.L.P.
888 - 17th Street, N.W., Suite 600
Washington, D.C. 20006-3939

By Courier

Maryellen B. Cantanni
APL Limited
1111 Broadway
Oakland, CA 94607-4036

By First Class Mail

Kevin C. O'Rourke
Matson Navigation Company, Inc.
333 Market Street, 30th Floor
San Francisco, CA 94105-2102

By First Class Mail

Alan A. Rudnick
CSX Corporation
P. O. Box C-32222
Richmond, VA 23261-2222

By First Class Mail

Peter J. Shudtz
CSX Corporation
One James Center
901 E. Cary Street
Richmond, VA 23119-4057

By First Class Mail

Rick A. Rude
Law Office of Rick A. Rude
207 Park Avenue, Suite 103
Falls Church, VA 22046

By Courier

Bjarne R. Henderson, Lt. C.
Assistant Staff Judge Advocate
HQMTMC
Attention: MTJA
Hoffman Building #2
200 Stovall Street, Room 12N67
Alexandria, VA 22332-5000

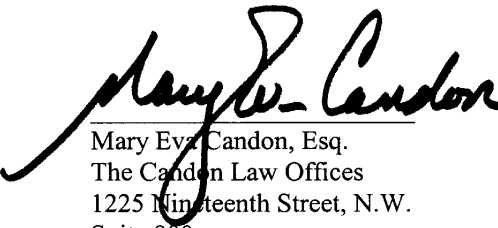
By Courier

Bruno Maestri
Norfolk Southern Corporation
1500 K Street, N.W., Suite 375
Washington, D.C. 20005

By Courier

Robert S. Zuckerman
Sea-Land Service Inc.
2101 Rexford Road
Charlotte, NC 28211

By First Class Mail



Mary Eva Candon, Esq.
The Candon Law Offices
1225 Nineteenth Street, N.W.
Suite 800
Washington, D.C. 20036
(202) 222-0555
Fax: (202) 293-3388

Counsel for Complainant
Government of the Territory
of Guam